



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-472A

Kim Glazier, Executive Director
Oklahoma Board of Nursing
2915 N. Classen Blvd., Ste. 524
Oklahoma City, Oklahoma 73106

August 5, 2016

Dear Executive Director Glazier:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Board of Nursing intends to take pursuant to a consent agreement in Board case 3.030.17. The proposed action is to require the licensee to complete courses in nursing law, critical thinking, and nursing documentation. The licensee will also be severely reprimanded and fined \$250. Failure to comply with the terms of the order will result in a three month suspension of the license and additional fines. The licensee, while working as a charge nurse in a long-term care center for veterans, failed to perform two blood sugar tests on a resident, but represented in the resident's medical records that the tests had been performed, listing made-up blood sugar readings.

The Oklahoma Nursing Practice Act, 59 O.S.2011 & Supp.2015, §§ 567.1–567.20, authorizes the Board to impose discipline when a nurse “[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing” in a way that “unnecessarily exposes a patient or other person to risk of harm” or “[i]s guilty of unprofessional conduct,” 59 O.S.Supp.2015, § 567.8(B)(3), (7). Unprofessional conduct includes falsifying patient records. OAC 485:10-11-1(b)(3)(A). Falsifying blood sugar readings in a patient's medical records puts the patient at risk of harm. The action seeks to enforce requirements that nurses provide safe care and not intentionally input incorrect information in a patient's medical records. The Board may reasonably believe that this action will deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Nursing has adequate support for the conclusion that this action advances the State of Oklahoma's policy to protect the public health, safety, and welfare by ensuring nurses perform their duties and accurately record medical records.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA